

Notice of Determination**- 1 -****To:**

Office of Planning and Research
 For U.S. Mail:
 P.O. Box 3044
 Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street
 Sacramento, CA 95814

From:

California Department of Fish and Wildlife (CDFW)
 Inland Deserts Region
 3602 Inland Empire Blvd Suite C-220
 Ontario, CA 91764
 Contact: Ashley Rosales
 Ashley.Rosales@wildlife.ca.gov

Lead Agency

Colorado River Basin Regional Water Quality Control
 Board
 73-720 Fred Waring Drive, Suite 100
 Palm Desert, CA 92260
 Contact: Logan Raub
 Logan.Raub@Waterboards.ca.gov

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108

State Clearinghouse Number: SCH No. 2021030426

Project Title: Oberon Renewable Energy Project (California Endangered Species Act Incidental Take Permit No. 2081-2021-073-06 Amendment No.1 (ITP))

Project Location: The Oberon Renewable Energy Project (Project) is located on Bureau of Land Management (BLM) administered land, near the community of Desert Center, immediately north of Interstate 10, in the Riverside County, California. The Project site is located on two 7.5-Minute U.S. Geological Survey topographic quadrangles: Sidewinder Well and Corn Springs.

Project Description: The Project consists of a utility-scale solar photovoltaic electrical generating and battery energy storage system (BESS) and associated infrastructure facilities, and a 500-kilovolt generator-tie line (gen-tie) connecting to the Southern California Edison Red Bluff Substation. This is an Amendment to the previously approved Project to reduce the Project Area to 2,458.67 acres and includes solar array field movement, modification to the substation and BESS work area, re-routing the medium voltage alternating current lines and the gen-tie line right-of-way, alteration to pulling sites, and the installation of a redundant fiber optic line. This change to the ITP will not: (1) increase the level of take or other Project impacts on desert tortoise (Covered Species) previously analyzed and authorized by the ITP, (2) affect Permittee's substantive mitigation obligations under the ITP, (3) require further environmental review under CEQA, or (4) increase temporal impacts on the Covered Species.

This is to advise that CDFW, acting as a Responsible Agency, approved the above-described amended project on January 18, 2023 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision.

1. The project [will / will not] have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
2. [An environmental impact report / A negative declaration] was prepared by the lead agency for the original project.
3. Additional mitigation measures [were / were not] made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan [was / was not] adopted by CDFW for this project.
5. A Statement of Overriding Considerations [was / was not] adopted by CDFW for this project.
6. Findings [were / were not] made by CDFW pursuant to Public Resources Code § 21081(a).
7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 A copy of a receipt showing prior payment was submitted to CDFW.

Responsible Agency statement: The EIR prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

Notice of Determination

DocuSigned by:

Heidi Calvert

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Signature

Date: 01/18/2023

Heidi Calvert, *Regional Manager*

Date Received for filing at OPR: _____